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13	,	
	UNITED STATES D	
14	FOR THE NORTHERN DIS OAKLAND	
15	OARLAND	DIVISION
16		
17	STATE OF CALIFORNIA, et al.,	
17	Plaintiffs,	No. 4:19-cv-00872-HSG
18		No. 4:19-cv-00892-HSG
19	V.	
20	DONALD J. TRUMP, et al.,	SUPPLEMENT TO NOTICE OF
	Defendants.	DECISION BY THE
21	2 0111111111111111111111111111111111111	DEPARTMENT OF DEFENSE TO
22	CHERRY CLARE	AUTHORIZE BORDER BARRIEF
23	SIERRA CLUB, et al.,	PROJECTS PURSUANT TO 10 U.S.C. § 2808
	Plaintiffs,	0.5.0. § 2000
24	V	
25	V.	
26	DONALD J. TRUMP, et al.,	
	Defendants.	
27		
28		

State of California, et al. v. Donald J. Trump, et al., 4:19-cv-00872-HSG – Supplement to Notice of § 2808 Projects Sierra Club et. al. v. Donald J. Trump, et al., 4:19-cv-00892-HSG – Supplement to Notice of § 2808 Projects

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1	On September 3, 2019, Defendants no	otified the Court and parties that the Secretary of	
2	Defense had authorized eleven border barrier projects in California, Arizona, New Mexico, and		
3	Texas pursuant to 10 U.S.C. § 2808. See ECF No. 206 in 4:19-CV-00872; ECF No. 201 in 4:19-		
4	CV-00892. To fund the projects, the Secreta	ary of Defense authorized the Department of the	
5	Army to expend up to \$3.6 billion in unobligated military construction funds. See id. The		
6	Secretary of Defense directed that, initially, only funds associated with deferred military		
7	construction projects located outside of the United States will be provided to the Department of		
8	the Army. See id. Deferred military construction projects outside of the United States account		
9	for \$1.8 billion of the required funds. See id. The remaining \$1.8 billion associated with		
10	deferred military construction projects locate	ed in the United States (including U.S. territories)	
11	will be made available to the Secretary of the Army when it is needed for obligation. See id. As		
12	a supplement to Defendants' notice, the list of unobligated military construction projects		
13	currently identified for deferral is attached as Exhibit 1.		
14			
15	DATE: September 5, 2019	Respectfully submitted,	
16		JAMES M. BURNHAM	
17		Deputy Assistant Attorney General	
18		ALEXANDED IZ HAAG	
19		ALEXANDER K. HAAS	
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